

Below is the Order of the Court.



A handwritten signature in black ink, appearing to read "CM Alston".

**Christopher M. Alston
U.S. Bankruptcy Judge**
(Dated as of Entered on Docket date above)

CHRISTOPHER M. ALSTON
United States Bankruptcy Judge
700 Stewart Street, Room 7206
Seattle, WA 98101
(206) 370-5330

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In re:

Chris Young Dong Yoo and Jieun and Song Yoo
Debtor.

Bankruptcy No. 16-10191

In Ho Hwang, et al

Adversary No. 16-01097

Plaintiff,

v.

Chris Young Dong Yoo, et al

Defendant.

**NOTICE OF TRIAL
AND ORDER SETTING DEADLINES**

1. **Trial Setting.** This adversary proceeding is set for a three-day non-jury trial commencing at 9:30 a.m. on **May 30, 31 and June 1, 2017** in the United States Bankruptcy Court, 700 Stewart Street, Courtroom 7206, Seattle, Washington.
2. **Compliance.** Failure to comply with the procedures and deadlines set forth in this order may result in adverse evidentiary rulings and/or dismissal of the action. The trial may be stricken and the adversary proceeding dismissed with prejudice or relief entered without

**NOTICE OF TRIAL AND
ORDER SETTING DEADLINES - 1**

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- further notice, and/or evidence excluded, for failure to comply with this order.
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- 2 3. **Disclosures.** Disclosure material shall not be filed with the Court except as exhibits or as
evidence on a motion or at trial.
- 3 4. a. **Expert Disclosures.** All parties shall make the expert disclosures required by
Federal Rule of Civil Procedure 26(a)(2) and Federal Rule of Bankruptcy
Procedure 7026 by **March 31, 2017.**
- 4 b. **Non-expert Disclosures.** All parties shall make the disclosures required by
Federal Rule of Civil Procedure 26(a)(3) and Federal Rule of Bankruptcy
Procedure 7026 by **April 28, 2017.**
- 5
- 6 4. **Deadlines.** The following deadlines will not be routinely extended absent a showing of
diligent prosecution and compliance with this order. All requests for an extension must be
made by motion, noticed to all parties, and set for hearing before the applicable deadline.
- 7
- 8 10. a. **Discovery.** All discovery shall be completed by **April 28, 2017.**
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- 10 b. **Business Records.** Any party intending to offer a record into evidence by
declaration pursuant to Federal Rules of Evidence 902(11), 902(12), and 803(6)
must provide written notice of that intention to all adverse parties, and must
make the record and declaration available for inspection on or before **April 28,**
2017.
- 11
- 12 c. **Dispositive Motions.** Dispositive motions must be filed and served such that the
hearing is held no later than **twenty-one (21) days** prior to the trial date.
- 13
- 14 d. **Exhibits.** All parties must exchange their proposed exhibits by **May 16, 2017.**
- 15
- 16 e. **Briefs.** Plaintiff's trial brief shall be served and filed **ten (10) days** prior to trial
and defendant's trial brief shall be served and filed **five (5) days** prior to trial. At
plaintiff's option, plaintiff may serve and file a reply brief **two (2) days** prior to
trial. Trial briefs shall include, as an attachment, proposed findings of fact and
conclusions of law. All must contain the top notation required by Local
Bankruptcy Rule 9013-1(d)(1)(B).
- 17
- 18 f. **Pretrial Orders.** Counsel shall comply with Local Bankruptcy Rule 7016-1(b) in
the filing of a proposed pretrial order. The pretrial order is due by **May 23,**
2017. If you fail to timely file the pretrial order, the trial may be stricken.
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NOTICE OF TRIAL AND
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1 g. Motions in Limine. Motions in Limine shall be filed no later than noon on May
2 19, 2017. This order does not preclude a party from pursuing a
3 motion in limine prior to trial in accordance with the notice and hearing
 requirements of LBR 9013-1 and having the motion heard on the Court's regular
 adversary proceeding calendar.

4 5. Exhibits.

- 5 a. Numbering and Format. A number sequence shall be used for all exhibits
6 (including experts' declarations) of all parties, with prefixes indicating the
 offering party, plaintiff or defendant (i.e., P1, P2, P3, etc; D1, D2, D3, etc.).
7 Exhibits shall be pre-marked in accordance with this order. Any documentary
8 exhibits which can reasonably be submitted on 8-1/2 by 11 inch paper shall be,
 with text on one side only. All pages within the respective exhibit should be
 numbered consecutively. (i.e., 1, 2, 3, etc).
- 9 b. Binders. Any party submitting exhibits shall submit the exhibits in 3-ring
10 binders. The binders shall include an index of the exhibits and each exhibit shall
11 be separated with an index tab marked with the identification as set forth in
 paragraph 5(a).
- 12 c. Submission of Exhibits to the Court. Parties intending to offer exhibits shall
13 submit three (3) sets of exhibits in 3-ring binders for use by the Court, the clerk,
 and witnesses. To facilitate identification of exhibits for trial, parties intending
14 to offer 10 or more exhibits at trial shall submit them to chambers by noon on
 May 26, 2017, unless other arrangements are made in advance with Morgan
15 Brannon (206-370-5331), Judge Alston's Courtroom Deputy.

16 6. Mediation and Settlement. If not previously filed, the parties shall file the Mediation
17 Certification required by Local Bankruptcy Rule 9040-3. Within five (5) Days of the
 entry of this order the parties shall notify the Court if the matter is settled.

18 7. Confirmation. The plaintiff shall confirm that the trial is going forward not later than
19 noon May 25, 2017 by using the E-Docket Confirmation Process and by notifying any
 party not represented by a lawyer by mail, facsimile or telephone. Failure to comply
20 may result in the trial being stricken and the case dismissed with prejudice. For
 information concerning the E-Docket Confirmation Process, please visit the Court's
21 website at <http://www.wawb.uscourts.gov>. Plaintiffs who are not represented by a
 lawyer may confirm a trial by contacting the Court's chambers at (206) 370-5330.

22 8. Continuances. Continuances are not routinely granted by the Court and will not be granted
23 without a court order entered at least one week prior to the trial date. An agreed
 continuance may be requested by a letter addressed to the judge. The letter should include
24 a representation that the continuance is agreed and proposed revised deadlines. A
 contested request for continuance must be made by motion and noted for hearing prior to
25 the date of the trial. Unless the trial has been continued by order of the Court, the parties

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1 will be expected to appear for trial as scheduled. The parties must contact Judge Alston's
2 Courtroom Deputy, Morgan Brannon, at 206-370-5331, for available trial dates.
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NOTICE OF TRIAL AND
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